

**Equal Employment Opportunity Data Posted
Pursuant to the No Fear Act:
Department of Health and Human Services**

National Institutes of Health

For 3rd Quarter Period ending June 30, 2005

29 CFR §1614.704(a) - (c)		29 CFR §1614.705 Comparative Data				
Complaint Activity	Previous Fiscal Year Data					
	2005 3rd Qtr	2004	2003	2002	2001	2000
Number of Complaints Filed in FY 1614.704(a)	42	66	64	66	56	91
Number of Complainants 1614.704(b)	41	62	64	45	52	73
Repeat Filers 1614.704(c)	1	4	0	1	2	5

29 CFR §1614.704(d)		29 CFR §1614.705 Comparative Data				
Complaints by Basis	FY 2005 3rd Qtr	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Race	28	36	33	34	46	85
Color	7	7	5	9	0	0
Religion	3	4	6	13	9	0
National Origin	10	9	6	4	24	17
Sex (including complaints filed under Equal Pay Act)	11	22	39	42	42	66
Disability	7	13	39	23	34	63
Age	13	22	28	30	37	44
Reprisal	21	35	63	52	57	45
Other	3	2	N/A	N/A	N/A	N/A

29 CFR §1614.704(e)	29 CFR §1614.705 Comparative Data
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Complaints by Issue		Previous Fiscal Year Data				
	2005					
	3rd Qtr	2004	2003	2002	2001	2000
Appointment/Hire	3	5	2	2	0	0
Assignment of Duties	7	14	2	6	18	28
Awards	1	6	4	3	5	7
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	2	1	0	0	0
Reprimand	6	3	6	5	12	18
Suspension	2	1	4	6	8	3
Removal	0	7	0	0	5	0
Other	2	0	0	0	0	0
Duty Hours	0	2	0	2	2	0
Evaluation Appraisal	7	6	4	2	9	18
Examination/Test	0	0	0	0	0	0
Harassment						
Non-Sexual	16	21	17	7	22	55
Sexual	1	1	1	2	7	12
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	5	3	1	2	3	5
Promotion/Non-Selection	10	19	16	33	46	42
Reassignment						
Denied	2	2	0	0	0	0
Directed	4	5	1	4	12	5
Reasonable Accommodation	2	6	3	1	5	23
Reinstatement	0	0	1	0	0	0
Retirement	0	0	1	0	0	0
Termination	6	0	8	6	5	22
Terms/Conditions of Employment	8	11	13	0	14	9
Time and Attendance	5	6	2	2	19	23
Training	6	4	1	1	9	3
Other	9	0	0	0	46	50

29 CFR §1614.704(f)			
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."		2005 end of 3rd Qtr	
		Number	Average Days
All complaints pending in investigative stage (initial or supplemental)	1614.704(f)(1)	14	64
All complaints awaiting any type of Final Agency Action		18	405
All complaints pending in which EEOC hearing was not requested, hearing request was withdrawn, or complaint was withdrawn.	1614.704(f)(2)	3	233
Time in investigative stage		2	219
Time to issue Final Agency Decision or confirmation of withdrawal.		1	312
All complaints pending in which EEOC hearing was requested	1614.704(f)(3)	30	442
Time in investigative stage		30	206
Time to issue Final Agency Order after receipt of AJ decision.		0	0
Time case pending at EEOC where AJ decision not yet issued		0	0

29 CFR §1614.704(g)	29 CFR §1614.705 Comparative Data
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Complaints Dismissed by Agency Pursuant to 1614.107(a)		Previous Fiscal Year Data				
	2005 3rd Qtr	2004	2003	2002	2001	2000
Total Complaints Dismissed by Agency	13	8	6	N/A	N/A	N/A
Average days pending prior to dismissal	143	173	68	N/A	N/A	N/A

29 CFR §1614.704(h)			29 CFR §1614.705 Comparative Data									
Total Final Agency Actions Finding Discrimination			Previous Fiscal Year Data									
	2005		2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	3	100	0	0	1	100	0	0	0	0	0	0
Without Hearing 704(h)(2)	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing 704(h)(3)	3	100	0	0	1	100	0	0	0	0	0	0

29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis			Previous Fiscal Year Data									
	2005 3rd Qtr		2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	9	100	0	0	2	100	0	0	0	0	0	0
Number Findings Rendered Without Hearing 704(i)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Number Findings Rendered After hearing 704 (i)(3)	9	100	0	0	2	100	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0

Religion	1	11	0	0	0	0	0	0	0	0	0	0
National Origin	2	22	0	0	0	0	0	0	0	0	0	0
Sex (include Equal Pay	2	22	0	0	1	50	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Age	2	22	0	0	0	0	0	0	0	0	0	0
Reprisal	1	11	0	0	1	50	0	0	0	0	0	0

29 CFR §1614.704(j)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Issue	2005		Previous Fiscal Year Data									
	3rd Qtr		2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(j)(1)	3	100	0	0	3	100	0	0	0	0	0	0
Findings Without Hearing 704(j)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing 704(j)(3)	3	100	0	0	3	100	0	0	0	0	0	0
Appointment/Hire	1	33	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	1	33	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	1	33	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	1	33	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	2	67	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	2005 end of 3rd Qtr		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

29 CFR §1614.704(k)		29 CFR §1614.705 Comparative Data				
Complaints Pending From Previous Fiscal Years by Status	2005	Previous Fiscal Year Data				
	3rd Qtr	2004	2003	2002	2001	2000
Total complaints from previous Fiscal Years 704(k)(1)	65	65	95	66	159	186
Total Complainants 704(k)(2)	63	60	79	45	N/A	N/A
Number complaints pending [as of 6/30]: 704(k)(3)						
Investigation	14	24	32	32	105	162
ROI issued, pending Complainant's action	3	4	N/A	N/A	N/A	N/A
Hearing	30	31	50	25	39	7
Final Agency Action	18	6	13	9	15	17
Appeal with EEOC Office of Federal Operations	2	3	N/A	N/A	N/A	N/A

29 CFR §1614.704(I)		29 CFR §1614.705 Comparative Data				
Complaint Investigations	2005 end of	Previous Fiscal Year Data				
	3rd Qtr	2004	2003	2002	2001	2000
Number Pending Completion of Timely Investigation	14	24	32	32	105	162
Pending Investigations Over Required Time Frames	0	7	20	11	20	14

Departmental Reimbursement to Judgment	FY 2005 3rd Qtr	
	Court Judgments	Settlements
Number of cases	0	0
Total reimbursement amount	0	0
Of that, amount paid as attorney's fees/costs	0	0
Total number of Complainants involved	0	0
Days from receipt of billing notices until payment made to Treasury	0	0